

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
**HOUSE BILLS NOS. 300,
334 & 387**

96TH GENERAL ASSEMBLY

Reported from the Committee on Health, Mental Health, Seniors and Families, May 10, 2011, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

1025S.07C

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to student athlete brain injuries.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 167, RSMo, is amended by adding thereto one new
2 section, to be known as section 167.765, to read as follows:

167.765. 1. The provisions of this section shall be known as the
2 **"Interscholastic Youth Sports Brain Injury Prevention Act". No later**
3 **than December 31, 2011, the department of health and senior services**
4 **shall work with a statewide association of school boards, a statewide**
5 **activities association that provides oversight for athletic or activity**
6 **eligibility for students and school districts, and an organization named**
7 **by the department of health and senior services that specializes in**
8 **support services, education, and advocacy of those with brain injuries**
9 **to promulgate rules which develop guidelines, pertinent information,**
10 **and forms to educate coaches, youth athletes, and parents or guardians**
11 **of youth athletes of the nature and risk of concussion and brain injury**
12 **including continuing to play after concussion or brain injury. The**
13 **primary focus of rules promulgated under this section shall be the**
14 **safety and protection against long-term injury to the youth athlete.**

15 **2. On a yearly basis, each school district shall distribute a**
16 **concussion and brain injury information sheet to each youth athlete**
17 **participating in the district's athletic program. The information form**
18 **shall be signed by the youth athlete's parent or guardian and submitted**

19 to the school district prior to the youth athlete's participation in any
20 athletic practice or competition.

21 3. A youth athlete who is suspected of sustaining a concussion or
22 brain injury in a practice or game shall be removed from competition
23 at that time and for no less than twenty-four hours.

24 4. A youth athlete who has been removed from play shall not
25 return to competition until the athlete is evaluated by a licensed health
26 care provider trained in the evaluation and management of concussions
27 as defined in the guidelines developed under subsection 1 of this
28 section and receives written clearance to return to competition from
29 that health care provider.

30 5. Any rule or portion of a rule, as that term is defined in section
31 536.010 that is created under the authority delegated in this section
32 shall become effective only if it complies with and is subject to all of
33 the provisions of chapter 536, and, if applicable, section 536.028. This
34 section and chapter 536 are nonseverable and if any of the powers
35 vested with the general assembly pursuant to chapter 536, to review, to
36 delay the effective date, or to disapprove and annul a rule are
37 subsequently held unconstitutional, then the grant of rulemaking
38 authority and any rule proposed or adopted after August 28, 2011, shall
39 be invalid and void.

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